

REMARKS

Reconsideration and allowance of the claims in the application are requested.

Applicant's attorney thanks Examiner Tu Nguyen for the courtesy of a personal interview conducted June 30, 2004. Claims 1 – 4, and 41-42 were discussed at the interview with respect to the cited art. The Examiner and Applicant's attorney agreed that "wirelessly transferring at least part of the stored coupon information corresponding to granted discounts on goods and services resulting from said coupon matching sequence including the coupon ID number from the first portable terminal to another terminal for redemption during a transaction" overcomes the cited art, subject to an update search.

Claims 1-4, 8, 11, 13, 17, 19-20, 26, 29, 31, 35, 37-38 and 41-42 are pending in the case and have been rejected under 35 USC 103(a) as unpatentable over Mankoff, of record in further view of USP 5,789, 732 to S. A. McMahon, issued August 4, 1998, and filed June 18, 1995 (McMahon).

Claims 6, 10, 15, 21, 24, 28, 23 and 39 are pending in the case and have been rejected under 35 USC 103(a) as unpatentable over Mankoff, in view of McMahon and in further view of Souissi et al, of record.

Applicants' have amended the claims to correct informalities and further distinguished the claims from the cited art.

Before responding to the rejections, Applicant would like to distinguish Mankoff, McMahon and Souissi from the present invention (Rissanen), as follows:

A. Mankoff

1. Mankoff discloses a coupon delivery system, and fails to disclose a mobile coupon storage and transaction system for redeeming the coupon.

Mankoff at Column 1, Line 6 – 9 and at Column 4, Lines 56 – 57 discloses a coupon distribution and delivery system. In contrast, Rissanen at Column discloses at Page 8, lines 6 – 21 a coupon distribution and transaction system. Mankoff fails to disclose a user conducting a transaction with a point-of-sale terminal.

2. Mankoff discloses storing a data file and image of a coupon including a coupon identifier for fraud purposes and fails to disclose storing a coupon ID in the mobile in place of the image in the mobile device.

Mankoff at Column 5, Lines 37 – 42 discloses an identifier is generated for fraud prevention purposes. In contrast, Rissanen at Page 4, Lines 1 – 10 discloses a coupon identifier is stored in the mobile device enabling the coupon to be stored in a network, saving storage space in the mobile device.

3. Mankoff discloses web sites electronically transferring coupons to mobile devices via client station, and fails to disclose a mobile device including a scanner for scanning printed coupons into the mobile device for subsequent scanning by a POS.

Mankoff at Column 4, lines 5 – 17 discloses web sites download coupons to client machines upon user selection. In contrast, Rissanen at Page 3, Lines 23 – 25 discloses coupons may be scanned from a printed page by a scanner included in the mobile terminal and subsequently scanned from the display of the mobile device by a POS terminal.

Summarizing, Mankoff fails to disclose limitations (1), (2), and (3) described above, in addition to limitations acknowledged by the Examiner as absent from Mankoff including (a) wirelessly pushing coupon information, (b) a coupon matching that compares the stored coupon of promotion in effect at the retail outlet when entered, and (c) wirelessly transferring at least a part of the stored coupon information corresponding to granted discounts on good and services resulting from the coupon entering, all of which are supposedly found in McMahon.

B. McMahon:

McMahon discloses a consumer data device (CCD) in a plastic encased, credit-card sized case containing a memory for data and transaction retention, an LCD display for displaying information, an LCD display for bar-codes to be read by a bar-code scanner, a controller to scroll through stored information, and a data communication link via spread-spectrum RF or direct electrical contact to a host computer. McMahon fails to disclose limitations of Rissanen, as follows:

1. McMahon discloses a pull coupon delivery system to a kiosk with user selection at the kiosk for downloading to a CDD and fails to disclose a push coupon delivery system delivering coupons directly to a mobile device without user selection.

McMahon at Column 4, Lines 10 - 26 discloses downloading coupons from a web site to kiosk followed by user selection of coupons at the kiosk for downloading to a CDD. In contrast, Rissanen at Page 7, Lines 7 – 12 discloses the coupons are downloaded directly to the mobile device without user selection. McMahon fails to disclose wirelessly pushing coupon information to the user.

2. McMahon discloses a POS terminal interrogates a mobile terminal and matches the stored coupons to purchased items, and fails to disclose the mobile device interrogating the POS terminal and matching the stored coupons to promotions in effect at the POS terminal.

McMahon at Column 4, Lines 26 – 32 discloses the POS interrogates the CDD for stored coupon information matching a purchased item available from the POS terminal. In contrast, Rissanen at Page 4, Lines 10 -24 discloses the mobile terminal interrogates the POS and if a stored coupon matches a product available from the POS terminal a discount is calculated by the POS... McMahon fails to disclose a mobile device performing the matching function for coupons stored in the mobile device

3. McMahon discloses the POS decrements coupons in the mobile terminal upon a match, and fails to disclose transferring at least a part of the coupon to the POS for calculating a discount.

McMahon at Column 4, Lines 26 – 36 discloses the POS decrements and/or deletes redeemed coupons within the CD once a match occurs to a purchase item. In contrast, Rissanen at Page 8, Lines 12 – 16 discloses the POS validates the electronically transmitted coupon and electronically redeems it by providing an immediate discount to the customer. McMahon fails to disclose wirelessly transferring a coupon from the mobile device to the POS.

4. McMahon discloses web sites electronically transferring coupons to mobile devices via a client station or kiosk, and fails to disclose a mobile device including a scanner for scanning printed coupons into the mobile device for subsequent scanning by a POS.

McMahon at Column 4, lines 10 – 27 discloses web sites download coupons to Kiosk machines upon user selection. In contrast, Rissanen at Page 3, Lines 23 – 25 discloses coupons may be scanned from a printed page by a scanner included in the mobile terminal and subsequently scanned from the display of the mobile device by a POS terminal.

Summarizing, McMahon fails to disclose the missing teachings in Mankoff for the reasons indicated above in paragraphs (1).... (4)

C. Souissi

Souissi at Column 1, Lines 15 - 27 discloses Bluetooth radio technology as a data transmission source in a communication system, and fails to disclose or suggest the implementation of Bluetooth in a mobile coupon push delivery and transaction system, as described in Rissanen at Page 15, Lines 19- 27.

Summarizing, Mankoff, McMahon and Souissi, alone or in combination disclose (a) a client PDA coupon delivery and transaction system, (b) using Bluetooth communications, (c) pulling coupons from a website, wherein (d) the transaction terminal interrogates and decrements or deletes matching coupons in a mobile terminal for purchased items at the transaction terminal. The cited references fail to disclose, suggest or teach (a) a mobile terminal implementing a coupon delivery and transaction system, (b) receiving coupons pushed to the mobile terminal without user selection and directly from the website or scanned from a printed page, (d) interrogating a transaction terminal for matching coupon products, (f) the transaction terminal calculating a discount for the coupon product upon matching. Without a disclosure in the cited references of the limitations, described above in paragraphs A – C, there is no basis for a worker skilled in the art to implement the mobile push coupon delivery and transaction systems of Rissanen. Accordingly, there is no support in the cited prior art for the rejection of the pending claims under 35 U.S.C. 103(a). Withdrawal of the rejection and allowance of the pending claims are requested.

Now turning to the rejections, applicants respond to the indicated paragraphs in the Office Action as follows:

REGARDING PARAGRAPHS 1 AND 2:

The Examiner's comments are noted.

REGARDING PARAGRAPHS 3 AND 4:

Claims 1-4, 8, 11, 13, 17, 19-20, 26, 29, 31, 35, 37-38 and 41-42 include limitations not disclosed or suggested in Mankoff in view McMahon as follows:

1. Claim 1:

(i) “wirelessly transferring by pushing coupon information including coupon identification (ID) number to a first portable terminal and storing the coupon information therein...”

Mankoff at Column 1, Lines 44 -50 discloses a user selects or “pulls” a coupon from a web site whereas Rissanen at Page 3, Lines 18-27 discloses coupons are pushed to the user without user selection.

(ii) “said pushing being performed without requiring action by the first portable terminal;”

McMahon discloses wirelessly pulling information based on user selection. Column 4, Lines 19-26). In contrast, Rissanen discloses and claims coupons are downloaded without user selection. Page 7, Lines 7 – 12.

(iii) “permitting a user of a first portable terminal to initiate a coupon matching sequence in the first portable terminal that compares the stored coupon information with wireless transmissions of promotions in effect in a retail outlet...”

McMahon discloses a POS terminal interrogates a mobile terminal and matches the coupons to purchased items. Column 4, Lines 26 – 32. In contrast, Rissanen discloses the mobile device interrogates a POS terminal and matches the coupons to promotions in effect at the terminal. Page 4, Lines 10 -14.

(iv) “wirelessly transferring at least a portion of the stored coupon information corresponding to granted discounts on goods and services resulting from said coupon matching sequence including a coupon ID number from the first portable terminal to another terminal for redemption during a transaction;”

McMahon decrement or deletes coupons in the mobile terminal when a match occurs. Column 4, Lines 26 - 32. In contrast, Rissanen discloses the user of a mobile terminal transfers the electronically transmitted coupon to the point-of-sale terminal, which electronically redeems the transferred coupon by providing an immediate discount to the customer. Page 8, Lines 7 – 16.

(v) “validating in the another terminal the transferred coupon information ...”

Mankoff discloses the redemption server sends a message to a remote server that issued the coupon for a validity check. Column 5, Lines 45 – 46. In contrast, Rissanen discloses

the point-of-sale terminal validates the electronically transmitted coupon without assistance from a remote serve... Page 8, Lines 12-16.

Summarizing, Mankoff and McMahon, alone or in combination, fail to disclose limitations (i)-(iv), for the reasons indicated above and without such disclosure, the rejections of claim 1 under 35 U.S.C. 103(a) is without support in the cited art. Withdrawal of the rejection and allowance of claim 1 are requested.

2. Claim 2:

(i) “wirelessly transferring at least a portion of the stored coupon information...” from the first portable terminal to a second portable terminal to effect wider distribution of the coupon information so as to permit users of each said first and second portable terminals to redeem said coupon information during different transactions.”

Mankoff discloses a consumer is able to clip coupons on the web and organize them in a PDA or other portable computing device. Column 4, Lines 37 - 40. Applicant can find no disclosure in Mankoff or McMahon relating to transferring coupons from one mobile device to another mobile device to permit users of first and second mobile devices to redeem the same coupon information during different transactions. Page 7, Lines 19 – 27.

Summarizing, Mankoff and McMahon fail to disclose the limitations of claim 2 for reasons indicated in connection with the consideration of claim 1 and the absence of disclosure in Mankoff and McMahon in transferring coupon information from one portable terminal to another portable terminal. Without such disclosure there is no support in the prior art for the rejection of claim 2 under 35 U.S.C. 103(a). In any case, claim 2 is patentable over the cited references on the same basis as claim 1.

3. Claim 3:

(i) “...wherein said another terminal validates transferred coupon information, and if the coupon information is validated calculates the discount provided by the coupon information to the purchase of goods and/or services.”

Mankoff discloses when a user desires to redeem the virtual coupon; the coupon is first authenticated before it is honored. Column 5, Lines 42 – 44. McMahon deletes a coupon in a mobile device when a match has been made to the appropriately purchased item. Column 4, Lines 30 – 33. Applicants can find no disclosure in Mankoff McMahon of calculating the discount provided by the discount information. Without such disclosure in Mankoff and

McMahon relating to calculating the discount provided by the coupons, there is no support in the prior art for the rejection of claim 3 under 35 U.S.C. 103(a). Withdrawal of the rejection and allowance of claim 3 are requested. In any case, claim 3 is patentable on the same basis as claims 1 or 2.

4. Claim 4:

Claim 4 further limits claims 1, 2 and 3 and is patentable on the same basis thereof.

5. Claim 7 and 8:

Claims 7 and 8 depends on and further limit claim 1 and are patentable on the same basis thereof.

6. Claims 11, 13, 29 and 38:

Claims 11, 13, 29 depend from and further limit claims 1, 2 and 3 as the case may be, and are patentable on the same basis thereof.

7. Claims 18-20:

Claims 18-20 depend from and further limit claim 2 and are patentable on the same basis thereof.

8. Claims 41-42:

Claims 41 and 42 further limit and describe claims 1-4 in more detail and are patentable on the same basis as claims 1-4.

Summarizing, the rejected claims include features not disclosed in Mankoff and McMahon, alone or in combination, as follows:

A. A mobile device receiving and storing coupons from a coupon source in a push delivery system.

B. A mobile device interrogating a transaction terminal to match coupons stored in the mobile device with promotions in the transaction device.

C. A mobile device delivering coupons to the transaction terminal when a match occurs between coupons stored in a mobile device and promotions stored in the transaction terminal.

D. A transaction terminal validating a matching coupon and calculating a discount for a matched promotion.

The cited claims are patentable over Mankoff and McMahon, alone or in combination, by their failure to disclose, suggest or teach the features described above in items A – D.

REGARDING PARAGRAPH 5:

Claims 6-10, 15, 21, 24, 28, 33 and 39 depend upon and further limit claims 1, 2, 3 and 4. Souissi relates to a Bluetooth radio communication system and does not supply the missing limitations in Mankoff and McMahon, described in the above consideration of Paragraphs 1/4. The above rejected claims are patentable on the same basis as claims 1 – 4 previously considered.

Withdrawal of the rejection and allowance of the cited claims are requested.

CONCLUSION:

Having corrected informalities in certain claims, distinguishing and overcoming the cited prior art, applicants request entry of the amendments and allowance of the claims and passage to issue of the case or in the alternative entering the amendment for purposes of appeal.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4503, Order No. 4208-4198.

Respectfully submitted,
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